MEC Rule Development as of August 14, 2013

Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
1		**Purpose and Scope**		Rules Committee
2		**Terms of Reference and Definitions**		Rules Committee
3		**Administrative** -General Provisions		Rules Committee
4	113-391(a)(5)k, 113-391(b), 113-392(c)	Notice and Hearings	Research is underway, looking at current NC rules and rules from other states.	Rules Committee
5		Appeals	Research is underway, looking at current NC rules and rules from other states.	Rules Committee
6	113-391(b)	Inspections	Research is underway, looking at current NC rules and rules from other states.	Rules Committee
7	113-191 (a4), 113-410(c)	Enforcement	Research is underway, looking at current NC rules and rules from other states.	Rules Committee
8	113-410(a), 143B-293.6	Violations	Research is underway, looking at current NC rules and rules from other states.	Rules Committee
9	113-410, 113-425(c), 143B-293.6	Penalties	Research is underway, looking at current NC rules and rules from other states.	Rules Committee
10	130A-29 Section 2(j)	Severance Taxes and Impact Fees	Being Studied by Funding Study Group and staff	Statutory Change or Rules Committee
11	113-391(b1), 113-391(a)(5)h	Trade Secret Protection	Being Studied by Trade Secret Study Group	Rules Committee
12	113-391(b1), 113-391(a)(5)h	Trade Secret Challenge	Being Studied by Trade Secret Study Group	Rules Committee
13	113-391(a)(7), 113-391(a)(5)k	Record Keeping & Reporting		Rules Committee
14	113-391(a), 113-391(a)(5)l, 113-391(d)	**Safety** -General Provisions	Also assigned to DOL	Admin of Oil & Gas
15		High Density Areas		Admin of Oil & Gas
16		Statewide Controls		Admin of Oil & Gas
17		Marking of Wells and Pipelines		Admin of Oil & Gas
18	113-391(a)(9)	Oil and Gas Facilities		Admin of Oil & Gas
19		Corrosion Control		Admin of Oil & Gas
20		Fire Prevention and Protection		Admin of Oil & Gas
21	113-391(a)(5)k, 113-391(a)(7)	Record Keeping and Reporting		Admin of Oil & Gas

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Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
22	113-391(a)(4)	**Environmental Testing** -General Provisions	Draft Complete- Await Rules Cmte Rvw	Env. Standards
23	113-423(f), 113-391(a)(5)b, 113-391(a)(4)	Baseline Sampling and Testing- Ground & Surface Water	Draft Complete- Await Rules Cmte Rvw	Env. Standards
24	113-423(f), 113-391(a)(5)b, 113-391(a)(4)	Baseline Sampling of Air Quality	Likely Cross-Reference to DAQ Rules	Env. Standards
25	113-391(a)(1)	Baseline of Seismic Activity	Refers to geophysical exploration work. Should be removed.	Env. Standards
26	113-391(a)(1) (implied), 113-391(a)(5)k	Baseline Sampling Report	Draft Complete- Await Rules Cmte Rvw	Env. Standards
27	113-413(f)	Subsequent Water Testing	Draft Complete- Await Rules Cmte Rvw	Env. Standards
28	113-391(a)(5)b	Subsequent Air Quality Testing	Likely Cross-Reference to DAQ Rules	Env. Standards
29	113-391(a)(5)b	Reporting of Other Environmental Assessments	Draft Complete- Await Rules Cmte Rvw	Env. Standards
30	113-391(a)(7), 113-391(a)(5)k	Record Keeping & Reporting	Draft Complete- Await Rules Cmte Rvw	Env. Standards
31	113-391(a)(5)a, 113-410(a)	**Permitting** -General Provisions	Being Studied by Coordinated Permitting Study Group	Admin of Oil & Gas
32	113-391(a)(5)a, 113-410(a), 113-395	Permitting Requirements and Fees	Being Studied by Coordinated Permitting Study Group	Admin of Oil & Gas
33	113-391(5)(i)	Emergency Response Plans		Admin of Oil & Gas
34	113-391(a)(1) * Already required in 15A NCAC 05C	Permit for Geophysical Surveys (Pre-Drilling)	In Research by Staff	Admin of Oil & Gas
35		**Comprehensive Drilling Plan** -General Provisions	Should be merged with Coordinated Permitting	Admin of Oil & Gas
36	113-391(a)(1), 113-391(a)(5)	Pre-Drilling Survey Report	In Research by Staff	Admin of Oil & Gas
37		Identification of Wildlife Species and Habitats	Part of coordinated permitting	Env. Standards
38		General Operating Requirements in Wildlife Habitats or Other Protected Areas	Part of coordinated permitting	Env. Standards
39		Consultation	Part of coordinated permitting	Env. Standards
40	113-391(a)(5)l	**Bonding** -General Provisions	Being Studied by Funding Needs and Sources Study Group	Admin of Oil & Gas with input from Funding Levels Study

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Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
				Group
41	113-391(a)(5)l	Well Construction Bonding	Being Studied by Funding Needs and Sources Study Group	Admin of Oil & Gas with input from Funding Levels Study Group
42	113-391(a)(5)l	Well Plugging and Abandonment Bonding	Being Studied by Funding Needs and Sources Study Group	Admin of Oil & Gas with input from Funding Levels Study Group
43	113-391(a)(5)l	Reclamation Bonding	Being Studied by Funding Needs and Sources Study Group	Admin of Oil & Gas with input from Funding Levels Study Group
44	* Bonding not required, but surface owner protection is in 113-421(a1).	Surface Owner Protection Bonding	Being Studied by Funding Needs and Sources Study Group	Admin of Oil & Gas with input from Funding Levels Study Group
45	113-391(a)(7), 113-391(a)(5)k	Reporting Procedures	Being Studied by Funding Needs and Sources Study Group	Admin of Oil & Gas with input from Funding Levels Study Group
46	113-391(a)12, 113-393, 113-392, 143B-293.1(b)	**Drilling Units** -General Provisions	**(Note- Moving 46-49 Up in Priority for completion)**	Admin of Oil & Gas
47	130A-29, Section 2(l)	Pooling	Being Studied by Compulsory Pooling Study Group	Admin of Oil & Gas (input from Compulsory Pooling SG)
48	130A-29, Section 2(l)	Unitization or Unit Operations	Being Studied by Compulsory Pooling Study Group	Admin of Oil & Gas (input from Compulsory Pooling SG)
49	113-393, 143B-291(b), 113-391(a)(12), 113-392, 143B-293.1(b)	Restricted Drilling Units		Admin of Oil & Gas
50	143B-293.1(b), 113-391(a)(12)	Well Spacing		Admin of Oil & Gas
51	113-391(a)(5)c	**Well Construction** -General Provisions	Completed Rules Committee- Await MEC	Admin of Oil & Gas
52	113-391(a)(5)d	Setback Distances	Research completed, drafting underway by staff.	Admin of Oil & Gas

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Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
53	113-391(a)(5)c, 113-391(a)(5)f, 113-391(a)(5)g, 113-391(a)(5)h, 113-391(a)(3)	Drilling Fluids and Additives	Completed Rules Committee-Await MEC	Admin of Oil & Gas
54	113-391(a)(5)c	Casing and Equipment Requirements	Completed Rules Committee-Await MEC	Admin of Oil & Gas
55	113-391(a)(5)c	Cement Standards	Completed Rules Committee-Await MEC	Admin of Oil & Gas
56	113-391(a)(5)c	Well Installation	Completed Rules Committee-Await MEC	Admin of Oil & Gas
57	113-391(a)(5)	Well Stimulation and Enhanced Recovery	Completed Rules Committee-Await MEC	Admin of Oil & Gas
58	113-391(a)(5)	Well Stimulation, Chemical Treatment, and Enhanced Recovery		Admin of Oil & Gas
59	113-391(a)(5)k	Hydraulic Fracturing Completion Report		Admin of Oil & Gas
60		Hydraulic Fracturing – Vendor Approval Report	Suggest the list be maintained through the Secretary of State's Office as a registered business.	Admin of Oil & Gas
61	113-391(a)(5)c, 113-391(a)(5)d, 113-391(a)(5)i	Wellhead Requirements	Completed Rules Committee-Await MEC	Admin of Oil & Gas
62	113-391(a)(5)i, 113-391(a)(8)	Well Control and Blowout Prevention	Completed Rules Committee-Await MEC	Admin of Oil & Gas
63		Well Maintenance	Will probably be included with rules regarding production and inspections.	Admin of Oil & Gas
64	113-391(a)(7), 113-391(a)(5)k	Drilling Completion Report	Suggest merging with "Well Completion Reports and Maps"	Admin of Oil & Gas
65	113-391(a)(7), 113-391(a)(5)k	Well Completion Report and Maps		Admin of Oil & Gas
66	113-391(a)(6)	Land Owner Request for Survey	*Possible Deletion*	Admin of Oil & Gas
67	113-391(a)(7), 113-391(b1)	Filing of Drilling Logs	Suggest merging with "Well Completion Reports and Maps"	Admin of Oil & Gas
68	113-391(a)(2)	Plugging and Abandonment (Re-titled as "Permanent Well Closure Requirements" and "Temporary Well Closure	Staff research completed, drafting underway.	Admin of Oil & Gas

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Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
		Requirements.”)		
69	113-391(a)(5)k	Well Plugging & Abandonment Report	Staff research completed, drafting underway.	Admin of Oil & Gas
70	113-394, 143-293.1(b)	Limitation of Production and Allocation	*Possible Deletion?*	Admin of Oil & Gas
71	113-391(a)(5)k	Production Report		Admin of Oil & Gas
72	113-391(a)(5)k	Specific Notifications		Admin of Oil & Gas
73	113-391(a)(5)k	Record Keeping & Reporting		Admin of Oil & Gas
74	113-391(a)(5)(e), 113-391(a)(11)	**Water Use** -General Provisions	**MEC Completed**	Water & Waste
75	113-391(a)(5)(e)	Water Management Plan	**MEC Completed**	Water & Waste
76	113-391(a)(5)(e), 113-391(a)(5)k	Water Source Documentation	**MEC Completed**	Water & Waste
77	113-391(a)(5)(e)	Alternative Water Sources	**MEC Completed**	Water & Waste
78	113-391(a)(5)(e)	Transport of Water From Off-Site Sources	Will be addressed with site construction standards.	Water & Waste
79	113-391(a)(5)(e)	On-Site Storage of Water	Will be addressed with site construction standards.	Water & Waste
80	113-391(a)(5)k, 113-391(a)(5)(e)	Monitoring and Reporting	**MEC Completed**	Water & Waste
81	113-391(a)(5)k, 113-391(a)(5)(e)	Annual Water Usage Report	**MEC Completed**	Water & Waste
82	113-391(a)(5)k, 113-391(a)(5)(e)	Record Keeping & Reporting	**MEC Completed**	Water & Waste
83	113-391(a)(5)(e), 113-391(a)(5)(f)	**Waste** -General Provisions	Drafted for Committee Review	Water & Waste
84		Management of Non-E&P Waste	Drafted for Committee Review	Water & Waste
85		Venting and Flaring of Natural Gas	To Be Addressed Later after EPA Finalizes Rule	Water & Waste
86	113-391(a)(5)(e), 113-391(a)(5)(f)	On-Site Storage of Waste	Drafted for Committee Review	Water & Waste
87	113-391(a)(5)(c), 113-391(a)(5)(d)	Pits	Drafted for Committee Review	Admin of Oil & Gas
88	113-391(a)(5)k, 113-391(a)(5)(a)	Pit Permitting/Reporting Requirements	Drafted for Committee Review	Admin of Oil & Gas
89	113-391(a)(5)(c), 113-391(a)(5)(d)	Pit Lining Requirements & Specifications	Drafted for Committee Review	Admin of Oil & Gas
90	113-391(a)(5)(c), 113-391(a)(5)(d)	Closure of Pits and Buried or Partially Buried Produced Water Vessels	Drafted for Committee Review	Water & Waste
91	113-391(a)(5)k	Pit Closure Report	Drafted for Committee Review	Admin of Oil & Gas
92	113-391(a)(5)(e), 113-391(a)(5)(f)	On-Site Treatment of Waste	Drafted for Committee Review	Water & Waste
93	113-391(a)(5)(f)	On-Site Disposal of Waste	Drafted for Committee Review	Water & Waste

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Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
94	113-391(a)(5)(f)	Centralized E&P Waste Management Facilities	Drafted for Committee Review	Water & Waste
95	113-391(a)(5)(f)	Off-Site Treatment and Disposal	Drafted for Committee Review	Water & Waste
96	113-391(a)(5)(f)	Waste Transportation	Drafted for Committee Review	Water & Waste
97	113-391(a)(5)(i)	Spills and Releases	Drafted for Committee Review, further research occurring.	Water & Waste
98	113-391(a)(5)k, 113-391(a)(5)(i)	Spill & Release Report	Drafted for Committee Review, further research occurring.	Water & Waste
99	113-421(a3), 113-391(a)(5)(a), 113-391(a)(5)(l)	Site Investigation, Remediation and Closure	Research Complete- Awaiting Water & Waste Mgt Review	Water & Waste
100	113-391(a)(5)k	Record Keeping & Reporting	Drafted for Committee Review	Water & Waste
101	113-391(a)(5)(h), 113-391(b1)	**Chemical Disclosure** -General Provisions	Completed Draft- Pending MEC Review	Env. Standards
102	113-391(a)(5)(h), 113-391(b1)	Required Disclosures	Completed Draft- Pending MEC Review	Env. Standards
103		Disclosure to Health Professionals	Completed Draft- Pending MEC Review	Env. Standards
104	113-391(a)(5)k	Record Keeping & Reporting	Completed Draft- Pending MEC Review	Env. Standards
105	113-391(a)(5)(g)	Prohibited Chemicals	MEC Completed	Env. Standards
106	130A-29 Section 2(k) – requires that these matters be studied.	**Aesthetics and Noise Control** -General Provisions	Being Studied by Local Govt Study Group	Env. Standards
107	130A-29 Section 2(k) – requires that this matter be studied.	Noise Abatement	Being Studied by Local Govt Study Group	Env. Standards
108	130A-29 Section 2(k) – requires that this matter be studied.	Lighting	Being Studied by Local Govt Study Group	Env. Standards
109		Visual Impact Mitigation	Being Studied by Local Govt Study Group	Env. Standards
110		Odors and Dust	Being Studied by Local Govt Study Group- May fall under DENR's DAQ Standards	Env. Standards
111	113-391(a)(5)(d)	Site Maintenance and Security	Being addressed within the wellhead rules and the pit standards rules.	Admin of Oil & Gas
112	113-391(a)(5)(k)	Record Keeping & Reporting	Should be addressed as part of the production and inspection rules.	Env. Standards

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Count	Cross-Ref to SL 2012-143	Rule Heading	Status	Assignment
113		Erosion Control and Sedimentation Mitigation	Possible cross-reference to EMC Rules	Env. Standards
114	113-391(a)(5)(c)	**Site Infrastructure** -General Provisions	Partially being addressed under the setback rules. Other parts will be addressed under construction standards.	Admin of Oil & Gas
115	113-391(a)(5)(c)	Storage Pit Standards	Drafted- Pending Rules Committee Review	Admin of Oil & Gas
116	113-391(a)(5)(c)	Tank Standards	Drafted- Pending Rules Committee Review	Admin of Oil & Gas
117		Gathering and Distribution Line Standards	May need to address under Statutory Change	Admin of Oil & Gas
118	113-391(a)(5)(d)	Infrastructure Setbacks and Buffers	Partially being addressed under the setback rules.	Admin of Oil & Gas
119		**Production** -General Provisions		Admin of Oil & Gas
120	113-391(a2)(1), 143B-293.1(b)	Gas-Oil Ratios	Optional	Admin of Oil & Gas
121	113-394, 113-391(a2)(2)	Production Limitations	Optional	Admin of Oil & Gas
122	113-391(a2)(2)	Prevention of Fossil Fuel Waste	Optional	Admin of Oil & Gas
123	113-391(a)(5)(k)	Record Keeping and Reporting	Optional	Admin of Oil & Gas
124	113-421(a2), 113-391(a)(5)(l)	**Reclamation** -General Provisions		Admin of Oil & Gas
125	113-391(a)(5)(i), 113-391(a3): EMC	Site Preparation and Stabilization	Maybe move into the site construction standards rule set.	Admin of Oil & Gas
126	113-391(a)(5)(l)	Interim Reclamation	Maybe move into the site construction standards rule set.	Admin of Oil & Gas
127	113-391(a)(5)(l), 113-421(a2)	Final Reclamation of Well Sites and Production Facilities	Maybe move into the site construction standards rule set.	Admin of Oil & Gas
128	113-391(a)(5)(k)	Interim/Final Reclamation Report		Admin of Oil & Gas
129	~~113-391(a)(5)(k)~~	~~Site Maintenance and Security Report~~	Should be addressed as part of the production and inspection rules (item #112).	Admin of Oil & Gas
130	~~113-391(a)(5)(k)~~	~~Record Keeping & Reporting~~	Should be addressed as part of the production and inspection rules (item #112).	~~Admin of Oil & Gas~~
131		Variance	**Completed Rules Committee- Await MEC**	Admin of Oil & Gas

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Research and/or drafting still being done
At or near completion from MEC
Major challenge(s) exist(s) impeding progress